

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

E. JEAN CARROLL,

Plaintiff,

v.

DONALD J. TRUMP, in his personal capacity,

Defendant.

No. 20 Civ. 7311 (LAK) (JLC)

DECLARATION OF ROBERTA A. KAPLAN IN SUPPORT OF
PLAINTIFF E. JEAN CARROLL'S OMNIBUS MOTION IN LIMINE

I, Roberta A. Kaplan, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a member of the bar of the State of New York and am admitted to appear before this Court. I am a partner in the law firm Kaplan Hecker & Fink LLP, counsel for Plaintiff E. Jean Carroll in the above-captioned action.

2. I respectfully submit this declaration in support of Carroll's omnibus motion in limine.

3. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the official transcript of Lisa Birnbach's deposition, which was taken in this action on September 21, 2022.

4. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from the official transcript of Carol Martin's deposition, which was taken in this action on October 18, 2022.

5. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from the official transcript of Donald J. Trump's deposition, which was taken in this action on October 19, 2022.

6. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the official transcript of Natasha Stoyanoff's deposition, which was taken in this action on October 13, 2022.

7. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from the official transcript of Jessica Leeds' deposition, which was taken in this action on October 13, 2022.

8. Attached hereto as **Exhibit 6** is a true and correct copy of an excerpt from the official transcript of Carroll's deposition, which was taken in this action on October 14, 2022.

9. Attached hereto as **Exhibit 7** is a true and correct copy of the document that was marked as Exhibit 33 during Trump's deposition in this action.

10. Attached hereto as **Exhibit 8** is a true and correct copy of the Expert Report of Ashlee Humphreys, PhD, dated October 14, 2022.

11. Attached hereto as **Exhibit 9** is a true and correct copy of the Rebuttal Expert Report of Robert J. Fisher, dated November 14, 2022.

12. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts from the official transcript of Robert J. Fisher's deposition, which was taken in this action on December 14 and 20, 2022.

13. Attached hereto as **Exhibit 11** is a true and correct copy of Trump's Rule 26(a)(1) Initial Disclosures in this action, dated June 8, 2022.

14. Attached hereto as **Exhibit 12** is a true and correct copy of Trump's Supplemental Rule 26(a)(1) Initial Disclosures in this action, dated September 19, 2022.

15. Attached hereto as **Exhibit 13** is a true and correct copy of Trump's Rule 26(a)(1) Initial Disclosures in the related action, *Carroll v. Trump*, No. 22 Civ. 10016 (S.D.N.Y.) (LAK) (JLC), dated January 9, 2023.

16. Attached hereto as **Exhibit 14** is a true and correct copy of Trump's Supplemental Responses to Carroll's First Set of Interrogatories in this action, dated August 23, 2022.

17. Attached hereto as **Exhibit 15** is a true and correct copy of an email from Michael Madaio to Carroll's counsel, dated August 24, 2022.

18. Attached hereto as **Exhibit 16** is a true and correct copy of a tweet containing the statement that Trump made about Carroll on June 21, 2019, which was marked as Exhibit 20 during Trump's deposition in this action.

19. Attached hereto as **Exhibit 17** is a true and correct copy of excerpts from the official transcript of Stephanie Grisham's deposition, which was taken in this action on October 6, 2022.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
February 16, 2023



Roberta A. Kaplan